

1 THE HONORABLE RONALD B. LEIGHTON
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 HIDDEN HILLS MANAGEMENT, LLC,
11 and 334TH PLACE 2001, LLC,

Plaintiffs,

v.

12 AMTAX HOLDINGS 114, LLC, and
13 AMTAX HOLDINGS 169, LLC,

Defendants.

14 Case No. 3:17-cv-06048-RBL

15 DECLARATION OF J. SCOTT
16 PRITCHARD IN SUPPORT OF 334TH
17 PLACE 2001, LLC'S MOTION TO
18 COMPEL AND FOR IN CAMERA
19 REVIEW OF CERTAIN DOCUMENTS

20 NOTE ON MOTION CALENDAR:
21 December 7, 2018

22 AMTAX HOLDINGS 114, LLC, AMTAX
23 HOLDINGS 169, LLC, and PARKWAY
24 APARTMENTS, LP

Counter-Plaintiffs,

v.

25 HIDDEN HILLS MANAGEMENT, LLC,
26 and 334TH PLACE 2001, LLC,

Counter-Defendants.

I, J. Scott Pritchard, declare as follows:

1. I am one of the attorneys for Plaintiffs Hidden Hills Management, LLC ("HJM")
and 334th Place 2001, LLC ("334th Place") in the above-titled action, and I make this

DECLARATION OF J. SCOTT PRITCHARD - 1
(No. 3:17-cv-06048-RBL)

1 declaration in support of 334th Place's Motion to Compel and for In Camera Review of Certain
2 Documents.

3 2. Attached hereto as **Exhibit A** is a true and correct copy of a letter from AMTAX
4 Holdings 169 LLC ("Antax 169") to 334th Place dated March 6, 2018.

5 3. Attached hereto as **Exhibit B** is a true and correct copy of an excerpt from the
6 Limited Partnership Agreement for the Parkway Apartments, LP.

7 4. Attached hereto as **Exhibit C** is a true and correct copy of a letter from Amtax
8 169 to 334th Place dated May 8, 2018.

9 5. Attached hereto as **Exhibit D** is a true and correct copy of highlighted excerpts
10 from the transcript of the Rule 30(b)(6) deposition of Chris Blake, the designated representative
11 of Antax 169, which was held on October 26, 2018. After review of this transcript, I counted
12 the number of objections by Antax 169's counsel on privilege grounds and/or instructions not to
13 answer and determined there were a total of 51 such instances during the deposition.

14 6. Attached hereto as **Exhibit E** is a true and correct copy of 334th Place's Rule
15 30(b)(6) notice of Antax 169.

16 7. Attached hereto as **Exhibit F** is a true and correct copy of a letter from Antax
17 169's counsel to me, dated September 25, 2018.

18 8. Attached hereto as **Exhibit G** is a true and correct copy of a letter from me to
19 Antax 169's counsel dated October 30, 2018.

20 9. Attached hereto as **Exhibit H** is a true and correct copy of a letter from Antax
21 169's counsel to me, dated November 2, 2018. The two emails referenced in this letter that
22 Antax 169 has clawed back, documents bearing Bates Numbers AMTAXHH00019120-21 and
23 AMTAXHH00020525-26, have been submitted separately to the Court for in camera inspection
24 and have not been filed with this motion. These emails have also been sequestered pending
25 resolution of this issue by the Court.

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DECLARATION OF J. SCOTT PRITCHARD - 2
(No. 3:17-cv-06048-RBL)

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STOEL RIVES LLP

ATTORNEYS

600 University Street, Suite 3600, Seattle, WA 98101
Telephone 206.624.0900

1 10. I hereby certify that I have in good faith conferred with Amtax 169's counsel by
2 teleconference dated November 5, 2018 regarding Mr. Blake's deposition testimony, privilege
3 objections, and the issues set forth in Exhibits G and H. The parties were unable to resolve these
4 issues when Amtax 169 refused to withdraw its privilege objections and rescind its claw back.

5 I declare under penalty of perjury that the foregoing is true and correct.

6 Dated this 16th day of November, 2018, at Seattle, Washington.

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8

s/J. Scott Pritchard

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J. Scott Pritchard, WSBA No. 50761
Stoel Rives LLP
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Seattle, WA 98101
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Facsimile: (206) 386-7500
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DECLARATION OF J. SCOTT PRITCHARD - 3
(No. 3:17-cv-06048-RBL)

99242360.1 0009368-00002

STOEL RIVES LLP

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600 University Street, Suite 3600, Seattle, WA 98101
Telephone 206.624.0900

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 16th day of November, 2018, I electronically filed the
3 foregoing with the Clerk of the Court using the CM/ECF system which will send notification of
4 such filing to the following participants:

5 • **David J. Burman**
6 dburman@perkinscoie.com,docketsea@perkinscoie.com
7 • **Christopher G Caldwell**
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9 • **David R Goodnight**
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15 • **Eric S Pettit**
16 epettit@bsflpp.com
17 • **J. Scott Pritchard**
18 scott.pritchard@stoel.com,sea_ps@stoel.com,docketclerk@stoel.com,eileen.mccarty@stoel.com

19 Dated November 16, 2018.

20 *s/ Eileen McCarty*

21 Eileen McCarty, Practice Assistant
22 Stoel Rives, LLP
23 eileen.mccarty@stoel.com

24 CERTIFICATE OF SERVICE - 1